

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**HOWARD STEWART AND ROSE STEWART**

**PLAINTIFFS**

**V.**

**CIVIL ACTION NO. 1:05CV681 LTS-RHW**

**STATE FARM FIRE AND CASUALTY COMPANY**

**DEFENDANT**

**ORDER**

In light of the plaintiffs' voluntary dismissal of Defendant Phil Harvey, it appears that the plaintiffs' motion to remand is now moot. Accordingly, it is

**ORDERED**

That the plaintiffs' motion to remand [2] is hereby **DENIED AS MOOT**;

That the motion for an extension of time to file his answer by the dismissed defendant Phil Harvey [5] is hereby **DENIED AS MOOT**; and

That the **STAY** entered in this action [12] is hereby **LIFTED**.

**SO ORDERED** this 2<sup>nd</sup> day of May, 2006.

s/ *L. T. Senter, Jr.*

L. T. Senter, Jr.  
Senior Judge